

**UNITED STATES DISTRICT COURT
IN THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

Edward Manzano
Plaintiff,

v.

TODCO
Defendant.

§
§
§
§
§
§
§

C.A. No. C-05-020

**MEMORANDUM OPINION AND ORDER GRANTING DEFENDANT'S
MOTION FOR JUDGMENT AS A MATTER OF LAW**

On March 13, 2006, plaintiff Edward Manzano and defendant TODCO appeared for trial. After plaintiff called his witness and rested his case, defendant moved for judgment as a matter of law. Fed. R. Civ. P. 52(c). The Court, having fully heard plaintiff and considering the evidence presented by plaintiff, finds that plaintiff failed to offer persuasive evidence on the necessary elements of his case. 9A Charles Alan Wright & Arthur R. Miller, Federal Practice and Procedure § 2573.1. Plaintiff failed to adequately show that defendant breached any of the duties owed by a vessel owner to a maritime worker under Section 905(b) of the Longshoremen's & Harbor Worker's Compensation Act, as described by the Supreme Court in *Scindia Steam Navigation Co. v. De Los Santos*, 101 S. Ct. 1614 (1981).

Accordingly, defendant's motion is GRANTED.

Ordered this 13 day of March, 2006.


HAYDEN HEAD
CHIEF JUDGE